AF/1713

PATENTS
2543-28-93

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08-24-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Duvall *et al*
Serial No. 09/098,758
Filed: June 17,1998
For: Synergistic Blend of a Metal-Based Stabilizer or Lewis Acid and a Free Mercaptan for Enhanced PVC Stabilization

Group Art Unit: 1713
Examiner: P. Mulcahy

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on August 17, 2001

Robert M. Didrick

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Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE UNDER 37 CFR 1.116

Dear Sir:

This application has been reconsidered carefully in the light of the Office Action mailed May 18, 2001. Reconsideration of the application in the light of the following remarks is requested respectfully.

The rejection of claims 1-3 and 6-9 under 35 USC 103(a) as being obvious over the teachings of Snel taken alone on the ground that Snel teaches the incorporation of zinc chloride and mercaptan compounds in a chlorine-containing resin is traversed. Claim 1 of the instant application is directed to a composition consisting essentially of a halogen-containing polymer, a free mercaptan, and a specific amount of zinc chloride. The teaching in the Abstract of Snel and at column 4 to which the Examiner has referred describes a stabilizing composition consisting of substituted naphthindoles, polyimines, a free mercaptan, and zinc chloride. None of the stabilizers M1, M2, M3, or M4 described in column 4 consist essentially of a free mercaptan and zinc chloride. Each has at least one other component that, judging from their amounts alone, must have a material effect on the properties of the stabilizer. M4 does not even contain any zinc chloride. The polymer compositions in each of the working examples of Snel all contain

many other components known to be stabilizers for halogen-containing polymers. It is respectfully submitted that such teaching would not suggest a polymer composition in which a free mercaptan and zinc chloride are the only stabilizers to one of ordinary skill in the art of PVC stabilization.

The rejection of claims 1-3 and 6-9 under 35 USC 103(a) as being obvious over the teachings of Snel in view of Pollock on the ground that Pollock more clearly shows the instantly claimed free mercaptans and further suggests the use of co-stabilizers which can include zinc chloride in polyvinyl chloride polymers is traversed. The use of the mercaptan stabilizers of Pollock in the compositions of Snel would not make Snel more suggestive of a polymer composition in which a free mercaptan and zinc chloride are the only stabilizers. Pollock does not teach a polymer composition in which a mercaptan and zinc chloride are the only stabilizers. The teaching at column 10, lines 10+ is that the mixture of an organotin mercapto acid ester and a mercapto acid or mercapto alcohol is the major stabilizer and other known stabilizers may be used to supplement it. Zinc chloride is not included among the metallic stabilizers mentioned as co-stabilizers. There is no suggestion that another metallic salt may substituted for the organotin mercaptide.

For all of the foregoing reasons, a withdrawal of the rejection is courteously solicited.

Respectfully,

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